

**REMARKS**

This paper is submitted in reply to the Final Office Action dated November 7, 2005, within the three month period for response. A Notice of Appeal is being concurrently herewith, and as such, Applicants respectfully request that the Examiner enter the above amendments to place the case in better condition for Appeal. Authorization to charge Deposit Account 23-3000 the sum of \$500.00 for the requisite fee for the Notice of Appeal is granted therein.

In this paper, Applicants have canceled claims 40-41 without prejudice, leaving claims 1-39 and 42-43 pending for the purposes of the appeal. It is not Applicants' intent to forego the subject matter of the canceled claims; however, as Applicants intend to file a continuation application to continue prosecution of the canceled claims. Therefore, Applicants have not foregone any subject matter nor limited the scope of permissible equivalence by virtue of this amendment.

Applicants respectfully request that the aforementioned amendments be entered by the Examiner after final pursuant to 37 C.F.R. 1.116, as the amendments merely place the application in better condition for appeal, and as the amendments do not raise any new issues.

If the Examiner has any questions regarding this paper, or which might otherwise further this case onto allowance, the Examiner may contact the undersigned at 513-241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,



Scott A. Stinebruner  
Reg. No. 38,323  
WOOD, HERRON & EVANS, L.L.P.  
2700 Carew Tower  
441 Vine Street  
Cincinnati, Ohio 45202  
Telephone: (513) 241-2324  
Facsimile: (513) 241-6234

30 JAN 2006  
Date